

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
MTE HOLDINGS LLC, <i>et al.</i> , ¹)	Case No. 19-12269 (CSS)
)	
Debtors.)	Jointly Administered
)	
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PILOT THOMAS LOGISTICS LLC,)	
)	
Plaintiff,)	
)	
v.)	Adv. Proc. No. 20-50553 (CSS)
)	
MDC ENERGY LLC,)	
MDC TEXAS OPERATOR LLC,)	
MDC REEVES ENERGY LLC, and)	
NATIXIS, NEW YORK BRANCH.)	
)	
Defendants.)	
)	

SCHEDULING ORDER

To promote the efficient and expeditious disposition of adversary proceedings, the following schedule shall apply to the above-captioned adversary proceeding.

IT IS HEREBY ORDERED that

1. By agreement of the parties, the deadline for each of the Defendants to file the first answer or other responsive pleading is sixty (60) days after the issuance of the summons, or May 29, 2020.
2. The discovery planning conference described in Fed.R.Civ.P. 26(f), made applicable by Fed.R.Bankr.P. 7026, shall take place no later than thirty (30) days after the first answer

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: MTE Holdings LLC (7894); MTE Partners LLC (1158); Olam Energy Resources I LLC (0770); MDC Energy LLC (9140); MDC Texas Operator LLC (1087); Ward I, LLC (6817); and MDC Reeves Energy LLC (3644). The Debtors' address is 280 East 96th Street, Suite 210, Indianapolis, Indiana 46240.

or other responsive pleading is filed, or sixty (60) days after the adversary proceeding is commenced, whichever is earlier.

3. The parties shall provide the initial disclosures under Fed.R.Civ.P. 26(a)(1) no later than fourteen (14) days after the discovery planning conference. Any extension of the deadline to provide initial disclosures must be by Order of the Court and will only be granted for good cause shown.
4. All fact discovery shall be completed by ninety (90) days after the first answer or other responsive pleading is filed.
5. The parties shall provide expert reports for any issue on which they bear the burden of proof by one hundred (100) days after the first answer or other responsive pleading is filed. Any Parties' expert report intended to rebut any other expert report shall be provided by one hundred and thirty (130) days after the first answer or other responsive pleading is filed.

All reports shall provide the information required by Fed.R.Civ.P. 26(a)(2)(B). All expert discovery shall be completed, and discovery shall close, by one hundred sixty (160) days after the first answer or other responsive pleading is filed.

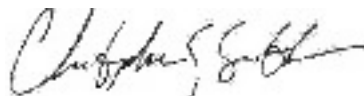
6. Pursuant to the General Order Regarding Procedures in Adversary Proceedings entered by the Honorable Mary F. Walrath on April 7, 2004, no later than one hundred twenty (120) days, after the answer or other responsive pleading to the complaint is filed, the parties shall file a Stipulation Regarding Appointment of a Mediator or a statement that the parties cannot agree on a mediator and a request that the Court select and appoint a mediator to the proceeding.

7. Within sixty (60) days after the entry of an Order Assigning the Adversary Proceeding to Mediation, the mediator shall either (a) file the mediator's certificate of completion, or, (b) if the mediation is not concluded, file a status report that provides the projected schedule for completion of the mediation.
8. All dispositive motions shall be filed and served by no later than fifteen (15) days after the close of all discovery and shall be subject to Rule 7.1.2 of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware.
9. By agreement of the parties, the Defendants have waived all objections, assertions, or arguments to jurisdiction or service of process of the complaint.
10. The parties shall comply with the General Order Governing Pre-Trial Procedures in Adversary Proceedings Set for Trial Before Judge Christopher S. Sontchi. The parties shall file, no later than three (3) business days prior to the earlier of date set for (i) pretrial conference (if one is scheduled) or (ii) trial, their Joint Pre-Trial Memorandum approved by all counsel and shall contemporaneously deliver two (2) copies thereof to Judge Sontchi's chambers.
11. The Order Assigning the Adversary Proceeding to Mediation shall set the adversary proceeding for trial one hundred twenty (120) days after the entry of the Order, or as soon thereafter as the Court's calendar permits. The Court may, in its discretion, schedule a pre-trial conference in lieu of or in addition to the trial.
12. The Plaintiff shall immediately notify Chambers upon the settlement, dismissal or other resolution of any adversary proceeding subject to this Order and shall file with the Court appropriate evidence of such resolution as soon thereafter as is feasible. The Plaintiff shall file a status report forty-five (45) days after the date of this scheduling order, each

forty-five (45) days thereafter, and thirty (30), twenty (20), and ten (10) days prior to trial, setting out the status of each unresolved adversary proceeding subject to this Order. Plaintiff shall immediately advise Chambers, in writing, of any occurrence or circumstance which Plaintiff believes may suggest or necessitate the adjournment or other modification of the trial setting.

13. Deadlines contained in this Scheduling Order may be extended only by the Court and only upon written motion for good cause shown.
14. The Plaintiff shall serve this Scheduling Order on each Defendant within five (5) business days after the entry of this Order.

Dated: May 1st, 2020
Wilmington, Delaware



CHRISTOPHER S. SONTCHI
UNITED STATES BANKRUPTCY JUDGE